

## Message Text

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TAGS: EING, KS

SUBJECT: BOOK PIRACY

REF: A. STATE 082061

B. SEOUL A-372, OCT 16, 1972

AUMMARY. PIRACY OF FOREIGN TEXTBOOKS HAS ACTUALLY INCREASED SINCE MCPI WARNING OF LAST YEAR. THERE APPEARS TO BE NO INTEREST AND NO LIKELIHOOD THAT ROKG WOULD ADHERE TO UNIVERSAL COPYRIGHT CONVENTION. MCPI APPARENTLY POWERLESS TO CONTROL OR STOP PIRACY. PUBLICATIONS LAW OF 1972 WOULD BE OF LITTLE OR NO ASSISTANCE SINCE IT IS BASICALLY LAW REQUIRING REGISTRATION. WE BELIEVE WE SHOULD MAKE CONCERTED EFFORT TO CORRECT UNHEALTHY SITUATION, INCLUDING APPROACH TO ROKG AT HIGHEST LEVELS BUT COUPLED WITH PRACTICAL ALTERNATIVES TO MEET NEEDS OF STUDENTS FOR CHEAPER FOREIGN TEXTBOOKS. END SUMMARY.

1. ROKG ADHERENCE TO UCC. THERE APPEARS TO BE NO INTEREST AND NO LIKELIHOOD THAT ROKG WOULD ADHERE TO UNIVERSAL COPYRIGHT CONVENTION UNTIL IT CAN BE CONVINCED THIS IS IN ITS INTEREST AND FOR ITS NATIONAL PRESTIGE AND HONOR.

2. AS EB/OCA DIRECTOR NICHOLAS LAKAS WOULD RECALL, ASSISTANT VICE MINISTER SUH YONG CHUL WAS DISINTERESTED IN SUBJECT AND RETURNED MEMORANDUM URGING ADHERENCE TO UCC WITH SUGGESTION IT BE TAKEN UP WITH MINISTRY OF CULTURE AND PUBLIC INFORMATION ( MCPI).

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3. EMOGFF SUBSEQUENTLY APPROACHED CHANG SANG KYU, NEWLY APPOINTED DIRECTOR OF BUREAU OF CULTURAL AFFAIRS, MCPI. CHANG FLATLY STATED THAT ROKG HAD NO PLANS FOR JOINING EITHER UCC OR BERNE CONVENTION. HE ALSO SAID MCPI IS LEGALLY POWERLESS TO CONTROL OR STOP BOOK PIRACY. HE DID PROMISE, HOWEVER, TO TAKE ACTION AGAINST PIRATES IN NEAR FUTURE WITH ASSISTANCE OF NATIONAL POLICE. CHANG ALSO OPINED THAT HE WOULD EXPECT KOREA TO JOIN UCC EVENTUALLY. WE DO NOT CONSIDER THESE LATTER TWO STATEMENTS TO BE MORE THAN COURTEOUS STATEMENTS FOR BENEFIT OF EMOFF, PARTICULARLY SINCE MCPI PUTS OUT ANNUAL LIST OF BOOKS PUBLISHED WHICH INCLUDE PIRATED BOOKS BY KWANG MOON AND OTHER PIRATE PUBLISHERS.

4. WE HAVE BEEN TOLD BY KOREAN BOOK DEALERS THAT CURTIS BENJAMIN, THEN PRESIDENT OF MCGRAW- HILL, HAD CALLED ON PRESIDENT PARK SIX OR SEVEN YEARU AGO AND HAD URGED PRESIDENT PARK TO JOIN THE UCC. BENJAMIN WAS REPORTEDLY TOLD THAT ROKG WOULD CONSIDER HIS REQUEST.

5. PUBLICATIONS LAW. PROPOSED PUBLICATIONS LAW REPORTED IN SEOUL A-111 WAS PROMULGATED ON DECEMBER 26, 1972. COPY BEING POUCHED EB/ CBA/ BP. NEW LAW REQUIRES ALL PUBLISHERS AND PRINTERS TO REGISTER WITH SEOUL, PUSAN OR PROVINCIAL REGISTRATION AGENCY. LAW MAKES NO REFERENCE TO COPYRIGHT, AND SEVERAL KOREAN BOOK DEALERS WITH WHOM WE HAVE TALKED REFERRED TO THIS AS A SIMPLE REGISTRATION LAW. INTENT OF LAW APPEARS TO BE DIRECTED AGAINST SMALL AND UNSCRUPULOUS PRINTERS, GENERALLY PIRATES, WHO APPEAR AND DISAPPEAR AFTER ISSUING ONE OR TWO TITLES.

6. PIRAGES. MCPI WARNING TO KWANG MOON REPRODUCTION COMPANY AND OTHERS AGAINST LIQUIDATING THEIR STOCKS ON OPEN MARKET HAS TURNED OUT ON CLOSE EXAMINATION TO BE WORTHLESS. PIRATE MARKET IS ALMOST EXCLUSIVELY IN STUDENT TEXTBOOKS. KWANG MOON PIRATE REPRINTS ARE SOLD TO PROFESSORS OR SCHOOLS, OTHER DEALERS, OR THROUGH ITS STORE WHICH IS IN DOWNTOWN SEOUL WITH WALKING DISTANCE OF THREE MAJOR LEGITIMATE BOOK IMPORTERS AND EMBASSY CHANCERY.

7. KIM PYONG HEE OF KWANG MOON TOLD EMOFF THAT HE WAS OLDEST PIRATE IN KOREA, DATING BACK TO 1964 WHEN HE PRINTED AN AMERICAN TEXTBOOK FOR AN INTERNATIONAL CATHOLIC HIGH SCHOOL IN LIMITED OFFICIAL USE

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SEOUL. LAST YEAR HE RINTED 200 TITLES AND SOLD ABOUT 40,000 COPIES. KWANG MOON HAS PUT OUT CATALOG LISTING ALL ITS REPRINTS, MAINLY AMERICAN TEXTBOOKS, BUT ALSO INCLUDING GERMAN AND FRENCH BOOKS. CATALOG BEING POUCHED TO EB/ CBA/ BP. KIM PYONG EE CLAIMED

THAT HE HAS ATTEMPTED ON SEVERAL OCCASIONS TO OBTAIN REPRINT RIGHTS FROM AMERICAN PUBLISHERS, BUT HAS BEEN TURNED DOWN. HE WOULD FAVOR CHANGES IN KOREAN LAW TO OUTLAW BOOK PIRACY IF HE COULD REPRINT WITH AUTHORIZATION FROM U. S. PUBLISHERS. TWO PEACE CORPS VOLUNTEERS WHO KNOW KIM WELL TOLD EMBOFF THAT KIM HAS MADE SAME STATEMENTS TO THEM. THEY ADDED THAT HE HAS SERIOUSLY BEEN HURT BY COMPETITION FROM SMALLER PRINTERS WHO PIRATE SAME TITLES AT CHEAPER PRICES.

8. OTHER KNOWN PIRATES INCLUDE SHINIL SA, NAEWAE CHULPAN, ILSHIN SA, " FOREIGN PUBLICATIONS ASSOCIATION", AND " FOREIGN PUBLICATIONS". MOST PIRATED TITLES ARE PAPERBACK TEXTBOOKS, ALSO INCLUDE MAJOR WORKS SUCH AS GRAY'S ANATOMY ( LEA AND FEBIGER, PHILADELPHIA).

9. PIRACY BY REPRINTING HAS ACTUALLY INCREASED IN VOLUME SINCE SO- CALLED MCPI WARNING OF LAST YEAR. LOCAL AGENT FOR ONE AMERICAN PUBLISHER STATES THAT ITS IMPORTS WENT DOWN FROM \$170,000 IN 1971 TO \$120,000 IN 1973 -- ATTRIBUTABLE DIRECTLY TO UNAUTHORIZED REPRINTING.

10. FYI, TIME- LIFE HAS DISCOVERED A HIGH QUALITY KOREAN PIRACY OF ITS SCIENCE LIBRARY SERIES, WHICH HAD BEEN TRANSLATED

INTO KOREAN BY GROUP OF KOREAN PROFESSORS AND PRINTED WITHOUT AUTHORIZATION. TIME- LIFE IS NOW IN PROCESS OF TRYING TO SETTLE THIS CASE.

11. SITUATION FAVORING PIRACY STEMS FROM OFFICIAL AND PUBLIC ATTITUDE THAT THERE IS NOTHING WRONG IN COPYING FOREIGN TEXTBOOKS. PRINCIPAL ARGUMENT IS THAT REPRINTING SAVES FOREIGN EXCHANGE, BUT ONE WRITER ESTIMATES THAT THIS SAVING AMOUNTS TO ONLY \$100,000 ANNUALLY. KOREA HERALD ARTICLE ON PIRACY BY LEE SUN BAE ARGUES THAT SUCH SMALL SUM HURTS NATIONAL PRESTIGE AND HONOR. ARTICLE BEING POUCHED TO EB/ CBA/ BP.  
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12. UNLESS USG AND US PUBLISHERS TAKE CONCERTED ACTION, WE ARE CONCERNED THAT SITUATION WOULD LEAD TO DEVELOPMENT OF VESTED INTEREST IN PIRACY WHICH WOULD EVENTUALLY WIPE OUT U. S. IMPORTS, NEGATE OPPORTUNITY FOR AUTHORIZED REPRODUCTION OF U. S. TITLES, AND COST AMERICAN AUTHORS FUTURE SUMS IN ROYALTIES.

13. ONE AMERICAN PUBLISHER, SPECIFICALLY MCGRAW- HILL, IS PLANNING WITH THREE LEADING KOREAN IMPORTERS FOR AUTHORIZED REPRODUCTION OF MOST POPULAR TITLES IN KOREA. TIME- LIFE IS ALSO CONSIDERING PUBLICATION OF KOREAN LANGUAGE VERSIONS OF ITS

VARIOUS BOOKS. WE HOPE OTHER AMERICAN PUBLISHERS COULD OFFER REPRODUCTION RIGHTS OR UNDERTAKE JOINT VENTURE FOR LOCAL PUBLICATION. SUCH VENTURES, HOWEVER, WOULD DEPEND ON LEGAL PROTECTION AGAINST PIRATED REPRODUCTION.

14. WE BELIEVE WE SHOULD MAKE APPROACHES TO ROKG AT HIGHTST POSSIBLE LEVELS FOR REDRESS OF CURRENT SITUATION, BUT COUPLED WITH PRACTICAL ALTERNATIVES TO MEET NEEDS OF STUDENTS FOR RELATIVELY CHEAPER VERSIONS OF FOREIGN TEXTBOOKS. BEFORE DOING SO, WE WISH DEPARTMENT CONSIDER MEETING WITH INTERESTED U. S. PUBLISHERS TO DISCUSS CONCERTED ACTION ALONG LINES DESCRIBED IN PARA. 13 ABOVE. WE WOULD ALSO APPRECIATE DEPARTMENT FURNISHING ARGUMENTS FOR JOINT UNN AND BACKGROUND ON TAIWAN SITUATION WHICH WE COULD USE HERE. WE LOOK FORWARD TO DEPARTMENT'S INSTRUCTIONS AND FURTHER GUIDANCE. DECON 12/31/73  
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